

MACo District 1, 2 & 3 Meeting
August 12, 2008
Elk Lodge, Sidney, MT

Chairman Mark Rehbein called the meeting to order.

Pledge of Allegiance was said.

Roll call was taken with the following counties present:

District 1 – Daniels County, Phillips County, Roosevelt County, Sheridan County,

District 2 – Dawson County, McCone County, Richland County, Wibaux County, Prairie County

District 3 – Carter County, Custer County, Fallon County, Powder River County, Rosebud County

Guests were introduced: Brett Smelser – City of Sidney Mayor and President of the League of Cities and Towns. He updated the Commissioners on the current issues with the League. Mary Heller, Representative Denny Rehberg's office; Willie Duffield – MT Oil, Gas and Coal counties; Vern Petersen, Joint Powers Trust; Cynthia Johnson, MACo President; Harold Blattie, MACo Executive Director; Sheryl Wood, MACo Associate Director; Jason Rittal – Eastern Plains Economic Development; Butch Renders and Curtis Petrik, DES Representatives; Lindsey Bright – Sidney Herald.

Leslie Robinson made a motion to approve the minutes, Don McDowell seconded. Minutes approved.

Sheryl Wood introduced the Resolutions that have been brought forward by other districts.

Troy Blunt from Phillips County brought forward a resolution for Wild Bison from Yellowstone Park being relocated into the areas of Montana not covered by the Interagency Bison Management Plan (IBMP). MACo supports the designation of any bison as domestic livestock and managed by the Montana Department of Livestock.

Gary McDonald moved to approve the resolution, Bill Loehding from Carter County seconded. Discussion was held. It was asked to amend the resolution that only bison tested negative for brucellosis prior to introduction be managed according to guidelines recommended by MT. Dept. of Livestock.

Monica Haaland, made a motion to amend the resolution, Gary McDonald seconded the motion. Motion carried. A vote was brought forward to propose the resolution to the resolution committee. All in favor.

The resolution will read:

WHEREAS: Wild Bison in the Yellowstone Park area have been diagnosed with brucellosis.

WHEREAS: Wild Bison leaving the park have created numerous management problems for the State of Montana. Any future distribution of wild bison would increase the problems.

WHEREAS: The only protection from diseased bison, to the citizens, wildlife, open space and the Montana livestock industry, has been from the Montana Department of Livestock.

THEREFORE BE IT RESOLVED: In the area of Montana not covered by the Interagency Bison Management Plan, (IBMP), MACo supports the designation of any bison as domestic livestock managed by the Montana Department of Livestock and only bison tested negative for brucellosis prior to introduction be managed according to guidelines recommended by the MT. Dept. of Livestock.

Harold Blattie introduced several resolutions being brought forward by the board.

Richard Dunbar brought up discussion regarding Mosquito Districts. A bill is being introduced in legislature for special districts to be dissolved by a resolution of intent by the Commission and not by having to have a petition signed by all land owners in the area. Richard proposed a resolution to allow dissolution of a mosquito district be initiated by resolution of the board of Commissioners. Troy Blunt seconded the motion. Discussion was brought forward. Adam Gartner from Dawson County questioned whether it should be included in the large bill or not. Harold Blattie recommended a separate resolution. Vote: All in favor of bringing the resolution forward.

Discussion was also held regarding Television District dissolutions, and the upcoming upgrade from analog to digital transmission.

Connie Eissinger questioned whether to have a bill amending the statute regarding allowing any elected public officer to show up at work one day a month. This is covered in the vacancy statutes. There is no statute that currently says an elected official has to be a resident of the county during their term of office. Mrs. Eissinger will work up a resolution and send it into MACo.

Nominations for MACo for 2nd VP were held. No nominations were brought forward at this time.

Bylaw amendments were presented by Harold and Sheryl. The amendments will be voted on at the September annual conference.

DES Homeland Security Grants: Butch Renders and Curtis Petrik. Discussion was held as to whether the Emergency Planning Management Grant letters should be signed or not, as the \$1000 grant for travel is not adequate if they are requiring attendance at four trainings.

Connie Eissinger is planning a seminar for road law facts and figures. For \$200 you will get a full day workshop and a 400 page book. The meeting will be held in Miles City tentatively on Oct. 20th.

Mary Heller reported that Seth Broesder has left the Great Falls office. Mike Waite has moved into that office, and the Helena office will be vacant until after the November election.

Sheryl Wood provided an update on E-Civis. E-Civis is a grant research company.

The group broke into District meetings and then provided the reports from the Districts:

District 1 discussed the DES grant and whether they should sign the letter or not.

District 2 re-elected Mark Rehbein, Richland County, as Chair, Bill Leach, Prairie County, as Vice-chair for two year terms. Discussed predator control and lack of getting anything done to kill predators.

District 3 re-elected Don Reiger, Chair, and Dan Watson, Rosebud County, Vice Chair for two year terms. The District discussed resolutions that will come before the annual meeting.

MACo staff report. Harold Blattie and Sheryl Wood provided reports on the following:

Predatory animal control program. There is a county bounty program on wolves and lynx. This is an issue as they are protected animals.

The vacancy notice has been advertised for the Chief Legal Counsel position for JPIA.

An alert has been sent out on the Supreme Court decision issued regarding sheriff and deputies salaries. The new formula follows the Supreme Court decision.

No bids have been received for the MACo 2010 Annual Conference. The 2009 will be held in Helena as the centennial conference. The Annual Conference in Hamilton is coming up. The new online registration system is working well.

District Court Security Grants - MACo will distribute the remainder of the funds for the grants. If you haven't applied for the grant, you still can do so.

Budget proposal – There is a request for two legislative interns to help through legislation. There is also a request for a stand-alone server system for MACo. Trustees for the insurance pools will be asked for budget authority for a digital imaging system. This will enable moving towards paperless offices. It is anticipated the new systems will be implemented in November. MACo will begin seeking interns immediately following budget approval.

Harold and Sheryl also reported on potential legislation for the upcoming session:

Office of Court Administrator – Judicial Workload Study. The study showed that there are not enough judicial positions in MT. The Office of Court Administrator is bringing legislation to create more positions.

LC 7776 - medical costs of detainees. This issue is with counties being responsible for medical costs for "detainees" injured "during the course of interaction" with law enforcement. For example, if you are questioning someone and they have a stroke, you are responsible for the hospital bill. This would also make counties responsible for self inflicted and pre-existing medical conditions. Counties were urged to get engaged immediately with legislators and legislative candidates.

PERS and SRS contributions scheduled for increase next year. A trigger was built into the original bill to stop the increase if the fund reaches actuarial soundness, but the Administration has come forward with a proposed bill to remove the trigger. Over 33% of contributors to PERS are local government employees, and approximately 96% of contributors to SRS are local government employees. There is also a proposal that employer's will also be required to pay the PERS contributions for retired

employees who are rehired. Mark Rehbein questioned investments with STIP since that is where the retirement contributions fund is invested. Harold updated on his conversation with Senator Dave Lewis who is going to carry a bill to have state and county funds separated into two different investment pools.

Public Defenders are bringing back their bill regarding electronic recording of custodial interviews.

ITSD is bringing back identity theft bill, but have removed counties from the responsibility.

There are a large number of election bills. Mail ballot pilot, election audits, youth election judges, etc. Harold and Sheryl will be meeting with the Clerks & Recorders next week.

911 Audit deficiencies. There will be two bills to correct the 911 fee distribution formula and to divert stranded 911 funds back to PSAP's and out of the general fund.

Harold reported that there is a draft of the bill regarding stream access. It provides for negotiation with land owners to get public access to streams and rivers from county road and bridge right of ways.

Obsolete statutes /clean-up bill. This cleans up a number of obsolete sections of law including mileage allowance for commissions, where reimbursement is allowed for keeping place in town if mileage is too much; allowance for staying with a relative instead of at a motel; County coroner salaries, as there is currently nothing in statute for coroners; road maintenance books; depositing funds in financial institutions in county and creating an allowance for counties who don't have one; and business licensing authority laws.

Interim committees – wild fire suppression committee has completed their study. It is anticipated a small number of legislative proposals will come forward from this.

Water policy interim committee – there will be several bills about what would be exempt wells for water rights.

Gravel Pit - possible open cut legislation ideas. There is a list of different things that have been suggested.

Cynthia Johnson had some comments about the NACo conference recently held in Kansas City, and the benefit of MACo participation and representation.

Thanks were given to Richland County for the great tour and supper last night and the meeting today.

Adjourned at 2:35.